

3. Remarks

The Examiner has rejected pending claims 1-3, 6-10, and 12-17. The applicant has amended claims 1, 6, 10, 12, and 15. Claims 2, 3, 5, 13, 14, and 16 have been cancelled. No claims have been added.

A. Claim Rejections—35 U.S.C. § 112, second paragraph

The Examiner has rejected claim 1 as being indefinite based on the scope of the term “web service.” Claim 1 (as well as the other claims that include this term) have been amended such that this term is omitted. The applicant therefore respectfully submits that the claim amendments presented herein overcome this basis for rejection.

The Examiner has rejected claims 1, 6, 12, and 15 as being indefinite because the scope of the term “polling routine” is unclear. The applicant has amended each of these claims to add language to clarify the scope of the polling routine; specifically, the element in each claim that is being polled is made explicit. The applicant therefore respectfully submits that the claim amendments presented herein overcome this basis for rejection.

B. Claim Rejections—35 U.S.C. § 102

Claims 1-3, 6, 7, and 12-17 have been rejected as being anticipated by Roy et al.¹ The applicant submits that the remaining amended claims are allowable over Roy et al. for the following reasons.

¹ Paragraph 8 refers to Jellum rather than Roy et al., but the applicant believes based on context that this is a typographical error, and thus is addressing only the Roy et al. reference with respect to the rejections in the present Office action.

The co-browsing system of Roy et al., like several of the prior art systems discussed in the background section of the present application, relies on the user to download a software application or “applet” in order to engage in co-browsing. (See, e.g., col. 4, lines 11-39 of Roy et al.) The present invention, as claimed, does not require the download of any such software, but rather is capable of functioning with only a standard web browser at the user/customer end. The present invention overcomes the requirement of downloading specialized software or “applets” by its novel use of a polling routine. Polling appears in each of the present claims. The Examiner has cited col. 10, line 45 of Roy et al. as teaching the use of polling. It is clear from the context, however, that the use of the term “polling” in Roy et al. has nothing to do with the meaning of that term as presented in the claims of the present application. The cited Roy et al. reference to polling, taken in context, is as follows:

The session may be created for a limited purpose (e.g., co-browsing), or may allow multiple forms or channels of communication between the attendees (e.g., co-browsing, chat, polling, multimedia sharing).

The term “poll” is used similarly in an earlier section of Roy et al., at col. 3, lines 63-66:

In different implementations of this embodiment, the attendees may collaborate to draft or revise a document, view or modify a document, chat, conduct a poll, or cooperate in some other way.

The terms “poll” and “polling” are again used in Roy et al. in a similar fashion at col. 4, lines 33-39 and lines 52-58. It may be seen that in all of these cases, the terms “poll” or “polling” in Roy et al. do not refer to the computer science meaning of this term, that is, polling in the sense of

repeated messages being sent from one computing device to another to determine if a change has occurred. See, e.g., the Wikipedia entry for “Polling (computer science), accessible at [en.wikipedia.org/wiki/Polling_\(computer_science\)](http://en.wikipedia.org/wiki/Polling_(computer_science)). Instead, Roy et al. uses this term in its everyday sense, that is, a method of allowing a body of people to vote or express an opinion on an issue. See, e.g., definitions 4a, 4b, 5a, and 5b of “poll” at the Merriam-Webster Online Dictionary, accessible at <http://www.merriam-webster.com/dictionary/poll>. Nowhere in the present application are the terms “poll” or “polling” used in this sense, but instead they are consistently used only as terms of art within the computer science field. This is clear from their context, and made more clear by the present amendments to the independent claims, where it has been made explicit what element of the invention is being polled by the polling routine. Thus Roy et al. neither teaches nor suggests a polling routine as set forth in the present claims, and for this reason Roy et al. does not teach or suggest the invention of the present claims.

C. Claim Rejections—35 U.S.C. § 103

Claims 8-10 have been rejected as being unpatentable over Roy et al. in view of the Examiner’s “official notice” concerning the use of contact information and telephone numbers. Each of these claims are dependent upon claim 6, and the applicant thus asserts that they are allowable over Roy et al. in view of the official notice for the same reasons as presented above with respect to claim 6.

D. Conclusion

In light of the amendments presented herein and the arguments presented above, the applicant asserts that all claims remaining in the application are allowable, and reconsideration and allowance is therefore requested.

Respectfully submitted,

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/chuck dougherty/

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